

UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK

In re:

Lehman Brothers Holdings, Inc., *et al.*,

Debtors

Chapter 11

Case No.: 08-13555 (JMP)

(Jointly Administered)

**PROPOSED ORDER UPON SIMEON MORENO'S MOTION FOR DECLARATION
THAT THE AUTOMATIC STAY DOES NOT APPLY AND THAT HIS CLAIMS
CONSTITUTE ADMINISTRATIVE EXPENSES OF THE ESTATE**

Upon consideration of the motion (hereinafter "Motion") by Simeon Moreno for Declaration that the Automatic Stay Does Not Apply and That His claims Constitute Administrative Expenses of the Estate dated March 31, 2010, and due notice having been provided, and it appearing that no other further notice need be provided, and having considered the Motion and any objections thereto,

IT IS HEREBY ORDERED THAT,

1. The Motion is granted in its entirety. To the extent any objections to the Motion have not been withdrawn or otherwise resolved, they are hereby overruled.
2. The automatic stay does not apply to the Movant's claims against Lehman Brothers Holdings, Inc. (hereinafter "LBHI").
3. The Movant may file suit against LBHI for said claims in any forum, including but not limited to the United States Bankruptcy Court, District of Massachusetts.
4. All payments made out of the estate for any amounts awarded on said claims shall be accorded priority status as administrative expenses.

5. Movant's counsel may participate via telephone conference at the hearing on the Motion.
6. Movant's service of the Motion and Notice thereof is hereby deemed sufficient.

Dated: New York, New York

_____, 2010

By: _____
HONORABLE JAMES M. PECK
UNITED STATES BANKRUPTCY JUDGE